

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MARTIN VANBUREN BARR, III,

Petitioner,

v.

Civil Action No. **3:22CV813**

HAROLD W. CLARKE,


Respondent.

MEMORANDUM OPINION

By Memorandum Order entered on February 2, 2023, the Court filed this action and informed Petitioner that he must immediately inform the Court if he is transferred or released. On April 9, 2024, the United States Postal Service returned a February 16, 2024 Memorandum Order because Petitioner had been released and was no longer in the Virginia Department of Corrections. Petitioner's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE. A certificate of appealability will be DENIED.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 4/15/24
Richmond, Virginia

/s/ 
John A. Gibney, Jr.
Senior United States District Judge